

this subsection referred to as the “Under Secretary”) shall conduct a comprehensive study of the revised “Procedures to Introduce Supercomputers” and the accompanying exchange of letters between the United States and Japan dated June 15, 1990 (commonly referred to as the “Supercomputer Agreement”) to determine whether the goals and objectives of such Agreement have been met and to analyze the effects of such Agreement on United States and Japanese supercomputer manufacturers. Within 180 days after December 9, 1991, the Under Secretary shall submit a report to Congress containing the results of such study.

(2) Consultation

In conducting the comprehensive study under this subsection, the Under Secretary shall consult with appropriate² Federal agencies and departments and with United States manufacturers of supercomputers and other appropriate private sector entities.

(d) Application of Buy American Act

This chapter does not affect the applicability of title III of the Act of March 3, 1933 (41 U.S.C. 10a–10d;¹ popularly known as the Buy American Act), as amended by the Buy American Act of 1988, to procurements by Federal agencies and departments undertaken as a part of the Program.

(Pub. L. 102–194, title II, § 208, Dec. 9, 1991, 105 Stat. 1603.)

REFERENCES IN TEXT

The Trade Agreements Act of 1979, referred to in subsec. (a)(5), is Pub. L. 96–39, July 26, 1979, 93 Stat. 144, as amended. For complete classification of this Act to the Code, see References in Text note set out under section 2501 of Title 19, Customs Duties, and Tables.

Title III of the Act of March 3, 1933, referred to in subsecs. (b)(1)(B) and (d), is title III of act Mar. 3, 1933, ch. 212, 47 Stat. 1520, as amended, known as the Buy American Act, which is classified generally to sections 10a, 10b, and 10c of Title 41, Public Contracts. For complete classification of this Act to the Code, see Short Title note set out under section 10a of Title 41 and Tables. Section 10d, included within the reference to 41 U.S.C. 10a–10d, was enacted by act Oct. 29, 1949, ch. 787, title VI, § 633, 63 Stat. 1024, as amended, and was not part of title III of act Mar. 3, 1933.

The Buy American Act of 1988, referred to in subsecs. (b)(1)(B) and (d), is title VII of Pub. L. 100–418, Aug. 23, 1988, 102 Stat. 1545, which enacted section 10b–1 of Title 41, Public Contracts, amended sections 2511 and 2515 of Title 19, Customs Duties, and sections 10a, 10b, 10c, and 10d of Title 41, enacted provisions set out as notes under section 10a of Title 41, and amended provisions set out as notes under section 10c of Title 41. For complete classification of this Act to the Code, see Short Title of 1988 Amendment note set out under section 10a of Title 41 and Tables. For termination of amendments made by this Act, see section 7004 of Pub. L. 100–418, set out as an Effective and Termination Dates of 1988 Amendment note under section 10a of Title 41.

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² So in original. Probably should be “appropriate”.

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§ 5601. Findings

The Congress finds and declares the following:

(1) The continuous collection and utilization of land remote sensing data from space are of major benefit in studying and understanding human impacts on the global environment, in managing the Earth's natural resources, in carrying out national security functions, and in planning and conducting many other activities of scientific, economic, and social importance.

(2) The Federal Government's Landsat system established the United States as the world leader in land remote sensing technology.

(3) The national interest of the United States lies in maintaining international leadership in satellite land remote sensing and in broadly promoting the beneficial use of remote sensing data.

(4) The cost of Landsat data has impeded the use of such data for scientific purposes, such as for global environmental change research, as well as for other public sector applications.

(5) Given the importance of the Landsat program to the United States, urgent actions, including expedited procurement procedures, are required to ensure data continuity.

(6) Full commercialization of the Landsat program cannot be achieved within the foreseeable future, and thus should not serve as the near-term goal of national policy on land remote sensing; however, commercialization of land remote sensing should remain a long-term goal of United States policy.

(7) Despite the success and importance of the Landsat system, funding and organizational uncertainties over the past several years have placed its future in doubt and have jeopardized United States leadership in land remote sensing.

(8) Recognizing the importance of the Landsat program in helping to meet national and commercial objectives, the President approved, on February 11, 1992, a National Space Policy Directive which was developed by the National Space Council and commits the United States to ensuring the continuity of Landsat coverage into the 21st century.

(9) Because Landsat data are particularly important for national security purposes and global environmental change research, management responsibilities for the program should be transferred from the Department of Commerce to an integrated program management involving the Department of Defense and the National Aeronautics and Space Administration.

(10) Regardless of management responsibilities for the Landsat program, the Nation's broad civilian, national security, commercial, and foreign policy interests in remote sensing will best be served by ensuring that Landsat remains an unclassified program that operates according to the principles of open skies and nondiscriminatory access.

(11) Technological advances aimed at reducing the size and weight of satellite systems hold the potential for dramatic reductions in the cost, and substantial improvements in the capabilities, of future land remote sensing systems, but such technological advances have not been demonstrated for land remote sensing and therefore cannot be relied upon as the sole means of achieving data continuity for the Landsat program.

(12) A technology demonstration program involving advanced remote sensing technologies could serve a vital role in determining the design of a follow-on spacecraft to Landsat 7, while also helping to determine whether such a spacecraft should be funded by the United States Government, by the private sector, or by an international consortium.

(13) To maximize the value of the Landsat program to the American public, unenhanced Landsat 4 through 6 data should be made available, at a minimum, to United States Government agencies, to global environmental change researchers, and to other researchers who are financially supported by the United States Government, at the cost of fulfilling user requests, and unenhanced Landsat 7 data should be made available to all users at the cost of fulfilling user requests.

(14) To stimulate development of the commercial market for unenhanced data and value-added services, the United States Government should adopt a data policy for Landsat 7 which allows competition within the private sector for distribution of unenhanced data and value-added services.

(15) Development of the remote sensing market and the provision of commercial value-added services based on remote sensing data should remain exclusively the function of the private sector.